of this Resolution have been forwarded to the Supreme Court, all High Courts and to the Bar Council of India for taking necessary follow-up actio*. The matter is under examination of the Bar Council of India.

Cominittor to go into the problems of advocates

1491. SHRI O. P. KOHLI: Will the PRIME MINISTER be pleased to states

(a) whether there was a proposal to appoint a Committee to go into the problems of the advocates who go on strikes frequently;

(b) if so, whether that Committee has been appointed and if not, the reasons therefor;

(c) whether the Committee has tender ed any report and if so, the details thereof; and

(d) the action taken by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) and (b) A resolution adopted by the Chief Ministers and Chief Justices in their meeting held in December, 1993 recommended the cons titution of committees of lawyers and judges at the appropriate levels to go into problems concerning lawyers' strikes and evolve appropriate guidelines for preven ting indiscriminate closure of Courts. Co pies of this Resolution have been forwar ded to the Supreme Court, all High Courts and the Bar Council of India for talcing necessary follow-up action. The matter is under examination of the Bar Council of India.

(c) and (d) Do no: arise.

Amendment of Evidence Act

1492. SHRI O. P. KOHLI: Will the PRIME MINISTER be pleased to state:

(a) whether *Government* were studying a judgement relating to loopholes in the Evidence Act;

(b) whether the study has been: comp leted;

(c) if so, the outcome thereof; and

(d) the action taken to amend the Evidence Act alongwith details of the Sections to be so amended?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R BHARDWAJ): (a) to (d) Government have studied the judgement dated 28th October, 1991 delivered by the Special Judges app-ointed under the Terrorist and Disruptive Activities (Prevention) Act, 1987, Rajkot District in Session's Case No. 23[89-State vs. Aniruddsinh Mahipatsinh'Jadeja and another wherein th*e* learned judge has observed that now the time is ripe to make changes in the legal processes by the Legislative Assembly and Hon'ble Parliaemnt and in such circumstances, until the Parliament makes necessary amendment in Section 25 of the Evidence Act, it cannot in the present situation be expected by the court that legally reliable evidence would come before the court. It has not been considered necessary to make any changes in the existing provisione of the Indian Evidence Act; 1872.

Section 5 of Companies Act

1493. SHRI ASHOK MITRA: Will the PRIME MIISTER be pleased to state:

(a) the contents of the recent clarification issued on the provisions of Section 5 of the Companies Act, 1956 concerning the meaning of "an officer *in* default';

(b) whether this clarification_is in conflict with any recent judicial pronouncement; and

(c) whether Ordinary Directors and part-time Directors would come under the ambit of this Section?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R BHARDWAJ):(a) to (c) As per circular dated 24-6-94 issued by the Department